

Minutes of Special and Regular City Council Meeting of June 26, 2012
City Council Chambers, One Twin Pines Lane

CLOSED SESSION 7:00 P.M.

A. Conference with Labor Negotiator, Greg Scoles, under Government Code Section 54957.6: MMCEA, Belmont Firefighters IAFF Local 2400 and Fire Management Unit (FMU)

(Closed Session was canceled.)

ROLL CALL

COUNCILMEMBERS PRESENT: Lieberman, Wozniak, Braunstein, Warden

COUNCILMEMBERS ABSENT: Feierbach

Staff Present: City Manager Scoles, City Attorney Rennie, Police Chief Mattei, Fire Chief Fry, Community Development Director de Melo, Finance Director Fil, Public Works Director Oskoui, Human Resources Director Dino, Parks and Recreation Director Gervais, Deputy Finance Director Lazzari, Police Captain DeSmidt, City Treasurer Violet, City Clerk Cook

Pledge of Allegiance

Led by Police Chief Mattei.

Report From Closed Session

Mayor Warden noted that the Closed Session scheduled for earlier was not held.

SPECIAL PRESENTATIONS

Public Safety Annual Awards

Fire Chief Fry described a vehicle accident which resulted in extraordinary efforts on the part of Fire Captain Kent Thrasher, Firefighter/Paramedic Lee Rossi, Firefighter/Paramedic Jeff Thorne, and Firefighter/Paramedic Steven Scott. He presented each with a letter of Commendation.

Police Captain DeSmidt presented the following annual awards:

Dispatcher of the Year, Dino Ferrari

Officer of the Year, Detective David Lashley

Volunteer of the Year, Ricky Deschler

Employee of the Year, Harvey Mestas

Proclamation Honoring Police Chief Don Mattei Upon His Retirement

Mayor Warden presented the Proclamation.

Assemblymember Jerry Hill presented Chief Mattei with a joint Resolution from the Senate and Assembly, as well as a letter of Appreciation from Governor Brown. He commented that many times people become jaded after numerous years, and that Chief Mattei was an exception to that. He stated that the Chief always dealt with people on a personal level. He noted that when the Chief was President of the San Mateo County Police Chiefs, he dealt with issues surrounding rave parties at the Cow Palace. He commended the Chief for his many years of service.

Kevin Fong from Senator Leland Yee's office echoed the sentiments offered by Assemblymember Hill. He extended Senator Yee's thanks and appreciation for keeping the community safe.

San Mateo County Supervisor Carole Groom stated that San Mateo County is lucky to have great leaders, and noted that Chief Mattei dealt compassionately with young people and the mentally ill. She presented him with a Resolution of Appreciation from the Board of Supervisors.

City Manager Scoles presented a Commendation from Congresswoman Anna Eshoo. He noted that Chief Mattei was always proud of his department and its culture of service. He presented flowers to the Chief's mother.

Police Captain DeSmidt expressed thanks to Chief Mattei from the Police Department staff. He noted that Chief Mattei was a great leader and mentor, and was a tireless advocate for the community. He presented flowers to the Chief's wife and granddaughter.

Louise Rogers on behalf of San Mateo County Mental Health noted that Chief Mattei was very involved in mental health issues and was an advocate for the City of Belmont.

Terry Wilcox-Rogers on behalf of San Mateo County Mental Health noted that Chief Mattei initiated the County's field crisis committee and hosted numerous Crisis Intervention Team meetings and workshops at City Hall.

Sam Barnett on behalf of San Mateo County Emergency Medical Services (EMS) outlined the various issues that were supported by Chief Mattei, including mental health services and for those with drug problems.

Melinda Henning on behalf of the National Alliance on Mental Illness (NAMI) of San Mateo County thanked the Chief for hosting field crisis meetings and for serving on the Mental Health Advisory Board.

Tina Fairbairn, Belmont resident, stated that Chief Mattei taught leadership and served with integrity.

Councilmember Wozniak stated that Chief Mattei is ethical, has empathy and is caring. She noted that he was an advocate for community policing and for addressing mental health issues.

Councilmember Braunstein noted that Chief Mattei believed in the community and its citizens, and provided input on how to look at issues. He noted that the Chief focused on youth issues.

Councilmember Lieberman noted the numerous public safety awards presented earlier, and he thanked both departments for their efforts. He stated that Chief Mattei had many facets in his career, and pointed out that the Year of the Community theme during his year as Mayor was inspired by Chief Mattei.

Mayor Warden expressed appreciation for Chief Mattei's work. He noted that the Chief never said a negative word when he was not appointed the first time he applied to be Chief. He commented that Chief Mattei always shared how he thought about issues, and always did his job 100 percent of the time. He stated that Chief Mattei applied to be City Manager, but he is happy that the Chief is retiring as the Chief.

Chief Mattei expressed his thanks for the commendations received. He noted that he always looked forward to coming to work, but it is time for new leadership. He stated that he is lucky to have been in Belmont and to lead an outstanding department. He pointed out that he developed leaders who are now chiefs in other cities. He thanked his family and the other chiefs in San Mateo County for their support. He stated that the City of Belmont is in good hands with incoming Chief DeSmidt. He thanked the Police Department for protecting the community, and recommended that one should never yield to mediocrity.

RECESS: 8:30 P.M.
RECONVENE: 8:40 P.M.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Lawrence Romaneck, Belmont resident, commented regarding the methodology by which Mid-Peninsula Water District calculates water bills. He noted that they are approximating rather than billing for actual use. He stated that the sewer bill is based on flawed data.

CONSENT CALENDAR

Motion to Authorize Comment Letter Regarding Potential California High Speed Rail (CHSR) Bond Appropriation Legislation

Approval of Resolution 2012-067 of the City Council Honoring Police Chief Don Mattei Upon His Retirement

Approval of Resolution 2012-068 of the City Council Honoring Police Officer John Bradley Upon His Retirement

Approval of Resolution 2012-069 of the City Council Approving Adoption of the International City/County Management Association Retirement Corporation (ICMA-RC) Vantagecare Retirement Health Savings (RHS) Plan

Approval of Resolution 2012-070 of the City Council Approving a Memorandum of Understanding Between the City of Belmont and AFSCME District Council 57, Local 829

Approval of Resolution 2012-071 of the City Council Authorizing Rates for Service Agreements with Bertrandt, Fox & Elliot for Legal Services Related to Civil Litigation Defense

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Wozniak, the Consent Agenda was unanimously approved by a show of hands (4-0 Feierbach absent).

HEARINGS

Public Hearing of the City Council to Hear All Protests and to Consider Adopting a Resolution and Introducing an Ordinance Increasing the City's Sewer Charges for Fiscal Years 2012-2013 and 2013-2014

Public Works Director Oskoui provided a background of the Proposition 218 hearing procedures and described the community meeting that was recently held.

Tom Gould, Consultant, noted that a sewer rate study was previously presented to the City Council. He provided an overview of the rate setting process, which includes a five-year projection of revenue needs, including necessary funds for the South Bayside System Authority (SBSA) sewage treatment costs. He noted that Belmont has no extraordinary operations and maintenance needs. He explained the need to increase the annual allocation, which is currently set at \$250,000 for the replacement of the sewer system.

Mr. Gould stated that the bond debt service needs a sufficient level of revenue, and if rates are not increased, the City could be in violation of bond covenants. He noted that funds are inadequate for capital improvement projects, many of which have been deferred. He explained the need to maintain stability in the system. He explained the components of the rate structure, which includes both a base rate and a flow charge based on water use. He clarified that the City is unable to bill sewer fees on a monthly basis since another agency provides water. He noted that Belmont's rates are competitive with other cities and are on the national average.

In response to Council questions, Public Works Director Oskoui provided rate comparison data with other cities. He explained that some cities' rates do not reflect proposed rate increases. Mr. Gould explained that rates are primarily driven by sewer treatment costs, as well as how well the system is upgraded.

Public Works Director Oskoui explained the need to assess and prioritize a plan for replacement of the sewer infrastructure, as well as the need to provide a steady funding level of address the backlog of deferred capital projects.

Discussion ensued regarding potential rates beyond 2013-14.

Mayor Warden opened the Public Hearing.

Ed Cull, Belmont resident, expressed his dissatisfaction with the Public Hearing notice. He explained that he attended the community meeting and noted that no comprehensive plan exists for infrastructure needs. He stated that basing the sewer rates on water use is flawed as it does not account for dry winter years.

Luigi Da San Biagio, Belmont resident, expressed concern regarding using water usage as the basis for sewer rates. He stated that separate water meters are needed for landscaping. He cited the pending embezzlement case at Mid-Peninsula Water District and expressed concern regarding reliance on their data. He stated that apartment buildings are being subsidized, and commented that the rate structure is unfair.

City Clerk Cook noted that 36 protest letters had been received.

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Wozniak, the Public Hearing was unanimously closed by a show of hands (4-0, Feierbach absent).

Councilmember Wozniak noted that there is no accurate way to obtain sewer usage data, and that future technology may be developed to assist with this. She expressed concern regarding the water district's billing methodology. She stated that Belmont has an aging infrastructure, and she explained that she will approve the proposed rates as a necessary action. She noted that rates will likely increase in the future.

Councilmember Lieberman concurred that the rate setting methodology could be improved, and that winter water use minimizes the impact. He explained that the City of Belmont has a plan to address capital needs, but no funding. He stated that rates were not raised in the previous year. He noted that if water meter readings are estimated in one month, the bill will even out when the meter is eventually read. He noted that the City is not likely raising enough money with the proposed rate increase.

Councilmember Braunstein expressed his displeasure in raising rates, and he noted the need to fund projects. He stated that the rates will likely rise in the future. He commented on the need to have a comprehensive plan for sewer, roads, and storm water drainage. He stated he will support the proposed rates as a necessary step.

Mayor Warden concurred with the need for the long-term plan to address infrastructure needs. He questioned the need for approving two years of rate increases. He noted that the Public Hearing notice has improved but could be better. He noted the issue of how to measure sewer use and explained that the previous method of charging a flat parcel rate was unfair. He commented regarding the need for a minimum level of maintenance.

City Manager Scoles stated that much work went into the two-year rate structure. He explained that the second year's rate could be reduced without a new Proposition 218 hearing process.

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Braunstein, Resolution 2012-072 Increasing the City's Sewer Charges for Fiscal Years 2012-2013 and 2013-2014 was unanimously approved by a show of hands (4-0, Feierbach absent).

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Wozniak, and unanimously approved by a show of hands (4-0, Feierbach absent) to introduce an Ordinance Increasing the City's Sewer Charges for Fiscal Years 2012-2013 and 2013-2014, to waive further reading, and to set the second reading and adoption for July 10, 2012.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Braunstein stated that the recent Office of Emergency Services (OES) Council meeting was canceled due to a lack of quorum. He noted that the same thing happened in June of 2011.

Councilmember Lieberman provided an update of the recent SBSA (South Bayside System Authority) meeting wherein standard-based staff performance evaluations were presented. He noted that a pending potential amendment to the Joint Powers Agreement regarding the Capital Improvement Program could result in savings to the City of Belmont. He explained that all member agencies will need to approve the amendment. He also noted that there was discussion regarding the problematic voting rights at SBSA, which is weighted for West Bay Sanitary. He stated that the Board has agreed to discuss changing the threshold.

Verbal Report from City Manager

City Manager Scoles announced that he has appointed Dan DeSmidt as Police Chief and that he would be sworn in at the next City Council meeting, at which time other department promotions would be recognized. He noted that the 45-day comment period has begun on the environmental impact report for the County's ordinance prohibiting single-use plastic bags. He pointed out that construction has begun on improvements to the Cipriani Dog Park. He explained that the City Council's list of priorities is now available on line, and he noted that staff continues to work on a schedule of milestones.

City Manager Scoles stated that staff continues to meet with the Belmont-Redwood Shores School District regarding construction issues, and differences are being resolved regarding their sewer connection fees. He noted that the school district is funding the School Resource Officer position.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Martin Fox, Belmont resident, stated that mental health is a serious issue in San Mateo County. He explained that some mentally ill people will not admit that they are sick, and families are living in fear. He noted that patient and privacy laws prevent families from addressing the situation and services are refused. He urged City Council support of AB1569 to address this matter.

ADJOURNMENT at this time, being 9:45 p.m.

Terri Cook
City Clerk

Meeting Tape Recorded and Videotaped